IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3711/2007

VIJENDRA KUMAR KASHYAP Vs. UNION OF INDIA & ORS.

DATE: 09.07.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Ravi Chirania for
Mr. Rajendra Vaish for the petitioner.

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By way of this writ petition the petitioner is seeking writ order or direction directing the respondents to release the monetary allowances, monetary benefits as admissible to the gallantry award winners and especially to the petitioner from 1969 along with interest.

The petitioner issued a legal notice through his counsel dated 22.01.2007 and the same has been responded by the respondents vide letter dated 11.04.2007, by which the petitioner has been informed that claim for monetary allowances on Gallantry award was forwarded to PCDA(P), Allahabad vide letter dated 20.06.2005. However, the PCDA(P), Allahabad after a lot of correspondences, finally intimated that the claim was not received by them and also intimated that since

the causality i.e. BOHA was published in 2003, the case be referred to PCDA(N), Mumbai vide their letter dated 09.01.2007. Accordingly, a duplicate IN 271 has been reconstructed and the same alongwith LPC-cum-date-sheet duly authenticated by NPO/CDA(N) are forwarded to the Controller of Defence Accounts (Navy), Pension Section, Mumbai, meaning thereby the case of the petitioner is under consideration and without waiting result, the petitioner has preferred this writ petition.

In my considered view, this writ petition is pre-mature and deserves to be dismissed and the same is hereby dismissed being pre-mature.

However, the petitioner is at liberty to file fresh writ petition, if any adverse order is passed by the Controller of Defence Accounts (Navy), Pension Section, Mumbai.

(K.S. RATHORE),J.

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